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AUG - 7 2008
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DOCUMENT
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DOC #:
DATE FILED: 8/8/08

August 7, 2008

By Facsimile No. 212-805-7924

The Honorable Sidney H. Stein
United States District Judge
500 Pearl Street, Room 1010
New York, NY 10007

MEMO ENDORSED

Re: *Hardy, et al. v. Fischer, et al.*, 08 Civ. 2460 (SHS)
Coleman v. Fischer, et al., 07 Civ. 7790 (SHS) — file in

Dear Judge Stein:

This firm represents plaintiffs in the above-referenced cases. We write, with defendants consent, to request a four day extension (from August 11 to August 15) of plaintiffs' time to file reply papers in support of their motion for class certification in the *Hardy* case, and for a coordinated briefing schedule for defendants' motions to dismiss in both the *Coleman* and *Hardy* cases.

Motion for Class Certification. Plaintiffs in *Hardy* moved for certification of a Rule 23(b)(2) injunctive class on June 27, 2008. Thereafter, this Court granted defendants' request to excuse their failure to timely oppose the motion and directed defendants to file opposition papers by no later than August 1, 2008. Defendants filed their opposition papers on August 2, 2008. Pursuant to Local Civil Rule 6.1(b)(3), plaintiffs' reply papers are due on August 11, 2008. Plaintiffs, with defendants' consent, request that the deadline be extended to August 15, 2008.

Motions Dismiss. Defendants in the *Coleman* case moved to dismiss on July 30, 2008. Defendants in the *Hardy* case moved to dismiss on August 2, 2008 on virtually identical grounds. Plaintiffs request, with defendants' consent, that the remaining briefing on the two cases be consolidated and that plaintiffs be afforded until September 12, 2008 to file opposition papers, with defendants' reply brief due no later than September 26, 2008.

Respectfully submitted,

Matthew D. Brinckerhoff

Matthew D. Brinckerhoff (3552)

SO ORDERED 8/8/08

- c. Michael Keane, Esq., (by fax (212.416.8550))
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